

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

BRIAN A. MOKRICKY

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Plaintiff

*

v.

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Case No.: 10-C-17-002277

MYRA L. MOKRICKY

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Defendant

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ANSWER TO COUNTER-COMPLAINT FOR LIMITED DIVORCE, OR, IN THE
ALTERNATIVE, ABSOLUTE DIVORCE, AND FOR OTHER RELIEF

NOW COMES, the Plaintiff/Counter-Defendant, Brian A. Mokricky, by and through his attorney, Thomas P. Sinton, Esquire, and the Law Offices of Thomas P. Sinton, P.A., and in Answer to the Counter-Complaint for Limited Divorce, or, in the Alternative, Absolute Divorce, and Other Relief, states as follows:

1. That the Plaintiff/Counter-Defendant admits the allegation contained in paragraph numbered one (1).
2. That the Plaintiff/Counter-Defendant admits the allegations contained in paragraph numbered two (2).
3. That the Plaintiff/Counter-Defendant admits the allegations contained in paragraph numbered three (3).
4. That the Plaintiff/Counter-Defendant admits the allegations contained in paragraph numbered four (4).
5. That the Plaintiff/Counter-Defendant admits that both parties are fit and proper people to have the minor children in their care and custody. However, in further answer, the Plaintiff/Counter-Defendant states that, the Defendant/Counter-Plaintiff does not believe that both people are as equally fit and proper to have the minor children in their care and

custody. If that is in fact the Defendant/Counter-Plaintiff's position, the Plaintiff/Counter-Defendant states that he is the more fit and proper person, of the two (2), to have the minor children, in his care and custody.

6. That the Plaintiff/Counter-Defendant admits the allegations contained in paragraph numbered six (6), but in further answer, states that he believes that the parties separated on or about March 11th, 2017.
7. That the Plaintiff/Counter-Defendant admits the allegations contained in paragraph numbered seven (7).
8. That the Plaintiff/Counter-Defendant denies in part, the allegations contained in paragraph numbered eight (8), and that he states that it is his belief that it is in the best interest of the minor children, that they continue to be in the shared physical custody of the parties. If the Defendant/Counter-Plaintiff is unwilling to have the minor children, in the parties shared physical custody, then the Plaintiff/Counter-Defendant believes that it is in the children's best interest, that he have primary physical custody.
9. That the Plaintiff/Counter-Defendant denies the allegations contained in paragraph numbered nine (9).
10. That the Plaintiff/Counter-Defendant admits the allegations contained in paragraph numbered ten (10), and believes that it is in the best interest of the minor children, that they be in the joint legal custody of the parties. Should the Court not feel that it is in the best interest of the minor children, to be in the joint legal custody of the parties, then they should be in the sole legal custody of the Plaintiff/Counter-Defendant.
11. That the Plaintiff/Counter-Defendant admits the allegations contained in paragraph numbered eleven (11).

12. That the Plaintiff/Counter-Defendant admits the allegations contained in paragraph numbered twelve (12).
13. That the Plaintiff/Counter-Defendant admits the allegations contained in paragraph numbered thirteen (13).
14. That the Plaintiff/Counter-Defendant admits the allegations contained in paragraph numbered fourteen (14).
15. That the Plaintiff/Counter-Defendant admits that he is employed, however, he is working two (2) jobs, which he believes is adversely affecting his health, and there is significant marital debt, which he is attempting to satisfy. He is not able to contribute towards the Defendant/Counter-Plaintiff's support or attorney's fees.
16. That the Plaintiff/Counter-Defendant denies the allegations contained in paragraph numbered sixteen (16).
17. That the Plaintiff/Counter-Defendant admits that the Defendant/Counter-Plaintiff has made significant monetary and nonmonetary contributions, towards the wellbeing of the family, throughout the marriage, however, so has the Plaintiff/Counter-Defendant.
18. That the Plaintiff/Counter-Defendant admits the allegations contained in paragraph numbered eighteen (18).
19. That the Plaintiff/Counter-Defendant incorporates by reference the responses to the allegations contained in paragraphs 1-18.
20. That the Plaintiff/Counter-Defendant denies the allegations contained in paragraph numbered twenty (20).
21. That the Plaintiff/Counter-Defendant denies the allegations contained in paragraph numbered twenty-one (21).

22. That the Plaintiff/Counter-Defendant admits the allegations contained in paragraph numbered twenty-two (22).
23. That the Defendant/Counter-Plaintiff, in her Counter-Complaint, has two (2) paragraphs numbered twenty-two (22), the second (2nd) numbered twenty-two (22), we are calling twenty-two "A" (22A). Allegation numbered twenty-two "A" (22A) states "the Counter-Plaintiff incorporates by reference the allegations in Paragraphs 1 through 18". In response to the allegations contained in paragraph numbered twenty-two "A" (22A), the Plaintiff/Counter-Defendant states that he incorporates his answers to the previous paragraphs herein.
24. That in response to the allegations contained in paragraph numbered twenty-three (23), the Defendant/Counter-Plaintiff states that "the parties have lived separate and apart by agreement, voluntarily, continuously, and without cohabitation, since on or about March 14th, 2017". In response to that allegation, the Plaintiff/Counter-Defendant states that March 14th, 2017 is about March 11th, and therefore he admits that allegation.

WHEREFORE, the Plaintiff/Counter-Defendant requests that the Court:

- A. Dismiss the Counter-Complaint for Limited Divorce,
- B. That the Court deny the relief requested,
- C. That the Court Order the Defendant/Counter-Plaintiff to compensate the Plaintiff/Counter-Defendant for his reasonable attorney's fees,
- D. And for such other and further relief as the nature of his cause may require.



THOMAS P. SINTON, ESQUIRE
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301-694-8877
Attorney for Plaintiff/Counter-Defendant

AFFIDAVIT

I HEREBY SOLEMNLY DECLARE AND AFFIRM under the penalties of perjury that the matters and facts set forth in the Plaintiff/Counter-Defendant's Response to the Counter-Complaint for Limited Divorce are true and accurate to the best of my knowledge, information, and belief.



BRIAN A. MOKRICKY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 14th day of February 2018, copies of the foregoing Answer to the Counter-Complaint for Limited Divorce, or, in the Alternative, Absolute Divorce, and Other Relief was mailed, first-class, postage prepaid to: Ms. Karen Robbins, Esquire, 129-12 W. Patrick Street, Frederick, MD 21701.



THOMAS P. SINTON, ESQUIRE